

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

IN RE:

Delois Roberts

SS#: : XXX-XX-6140

DEBTOR

CASE NO. 17-81965-CRJ-13

CHAPTER 13

TRUSTEE'S OBJECTION TO CONFIRMATION

COMES NOW, Michele T. Hatcher, Standing Chapter 13 Trustee, in the above captioned case and states the following:

1. The Plan does not comply with 11 U.S.C. § 1325. The Debtor's proposed Plan provides for the payment and retention of two (2) vehicles specifically, a 2015 Nissan Altima securing a debt owed in the amount of \$22,763.59 to Nissan Motor Acceptance Corporation and a 2005 Ford Explorer securing a debt owed in the amount of \$2,521.43 to Titlemax. The Debtor is not proposing to pay the unsecured creditors in full and the Trustee alleges the additional vehicle is not necessary for an effective reorganization.
2. The Plan does not comply with § 1322(a)(3). The proposed Plan does not properly address the secured claim filed by Wells Fargo USA Holdings Inc. in the amount of \$10,390.68 with interest rate of 9.63% and designated as claim #6 by the Court's Claim Register.
3. The proposed fixed monthly payments provided for on the Debtor's Plan fail to amortize the secured claims during the term of the Plan.

WHEREFORE, the Trustee prays that the Court deny confirmation of the Debtor's plan, and order the Debtor to file an amended plan within 14 days after this confirmation hearing. If the Debtor fails to file an amended plan within 14 days, the Trustee prays the Court enter an order dismissing this Chapter 13 case.

RESPECTFULLY SUBMITTED, this the 8th day of September 2017.

/s/ Michele T. Hatcher

MICHELE T. HATCHER, TRUSTEE

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CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of September 2017, I have served a copy of the foregoing on the parties listed below by depositing the same in the United States Mail, postage prepaid and properly addressed, or if the party being served is a registered participant in the CM/ECF System for the United States Bankruptcy Court for the Northern District of Alabama, service has been made by a "Notice of Electronic Filing" pursuant to FRBP 9036 in accordance with subparagraph II.B.4 of the Court's Administrative Procedures.

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/s/ Michele T. Hatcher
Michele T. Hatcher, Trustee